

**UNITED STATES DISTRICT COURT
IN THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KRAFT FOODS GLOBAL, INC., THE)	
KELLOGG COMPANY, GENERAL)	
MILLS, INC., and NESTLÉ USA, INC.,)	
)	
Plaintiffs,)	No. 1:11-cv-08808
)	
v.)	Judge Steven C. Seeger
)	
UNITED EGG PRODUCERS, INC.,)	
UNITED STATES EGG MARKETERS,)	
INC., CAL-MAINE FOODS, INC.,)	
MICHAEL FOODS INC., and ROSE ACRE)	
FARMS, INC.)	
)	
Defendants.)	
)	

**DEFENDANTS UNITED EGG PRODUCERS, INC. AND UNITED STATES EGG
MARKETERS’ MOTION TO FILE REPLY BRIEF UNDER SEAL**

Defendants United Egg Producers, Inc. (“UEP”) and United States Egg Marketers, Inc. (“USEM”), by their attorneys, respectfully move this Court for leave to file under seal pursuant to Local Rules 5.8 and 26.2, their Reply in Support of Renewed Motion for Judgment as a Matter of Law Pursuant to Rule 50(b), or in the Alternative, Motion for a New Trial or Alteration/Amendment of Judgment Pursuant to Rule 59 (the “Reply Brief”). UEP and USEM additionally move this Court for leave to redact portions of the Reply Brief referencing confidential information contained in Plaintiffs’ Exhibits B and C (provisionally filed under seal at ECF Nos. 751-1 and 751-2) from the publicly filed version of the Reply Brief and to file an unredacted, confidential version of the Reply Brief under seal. In support of this motion, UEP and USEM state as follows:

1. Plaintiffs’ Exhibits B and C to Plaintiffs’ Consolidated Opposition to Defendants’ Motions for Judgment as a Matter of Law, for a New Trial, and to Alter or Amend the Judgment

filed on January 22, 2025 are Plaintiffs' settlement agreements with Michael Foods, Inc. Exhibit B is the September 27, 2019 settlement agreement between Michael Foods, Inc. and Plaintiff The Kellogg Company (ECF No. 751-1). Exhibit C is the September 16, 2022 settlement agreement between Michael Foods, Inc. and Plaintiffs Kraft Foods Global, Inc., General Mills, Inc., and Nestlé USA, Inc. (ECF No. 751-2). Both settlement agreements have been designated by the settling parties as "HIGHLY CONFIDENTIAL" pursuant to Case Management Order No. 10 ("Protective Order"), *In re Processed Egg Prods. Antitrust Litig.*, No. 08-md-02002 (E.D. Pa. Feb. 12, 2009), ECF No. 50.

2. Portions of the Reply Brief reference confidential information contained in Plaintiffs' Exhibits B and C. As such, these portions of the Reply Brief are subject to the Protective Order. Under the Protective Order, UEP and USEM are required to file any reference to confidential information from those documents under seal in any public court filing.

3. Pursuant to Local Rule 26.2(c)(1), UEP and USEM have redacted those portions of the Reply Brief referencing confidential information from the publicly filed version of the Reply Brief. Pursuant to Local Rule 26.2(c)(2), UEP and USEM will contemporaneously with this motion, provisionally file a non-redacted, confidential version of the Reply Brief under seal with the proposed redactions highlighted in a visible color so the text is readable for the portions of the Reply Brief referencing confidential information.

4. For the reasons discussed in Plaintiffs' Motion to File Brief and Exhibits under Seal (ECF No. 749), the good cause standard is satisfied because there is a legitimate concern to maintain the confidentiality of the confidential settlement agreements, which justifies the sealing of the portions of the Reply Brief that reference the confidential information.

WHEREFORE, UEP and USEM respectfully request that this Court enter an order granting leave for UEP and USEM to file the Reply Brief under seal.

Dated: February 12, 2025

Respectfully submitted:

/s/ Robin P. Sumner

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